

**PROFESSIONAL LICENSURE DIVISION[645]**

**Adopted and Filed**

**Rule making related to electronic transmission of prescriptions**

The Iowa Board of Physician Assistants hereby amends Chapter 327, “Practice of Physician Assistants,” Iowa Administrative Code.

*Legal Authority for Rule Making*

This rule making is adopted under the authority provided in Iowa Code section 147.76.

*State or Federal Law Implemented*

This rule making implements, in whole or in part, Iowa Code sections 124.308 and 155A.27.

*Purpose and Summary*

Pursuant to Iowa Code sections 124.308 and 155A.27, beginning January 1, 2020, every prescription issued for a prescription drug shall be transmitted electronically as an electronic prescription to a pharmacy or a pharmacy’s agent unless exempted by statute. A practitioner who violates this mandate is subject to an administrative penalty of \$250 per violation, up to a maximum of \$5,000 per calendar year. The administrative penalty is assessed by the practitioner’s respective licensing board. Physician assistants in Iowa are prescribers subject to this electronic prescription mandate, and thus the Board may begin assessing administrative penalties against its licensees for violations of the electronic prescription mandate beginning January 1, 2020. This rule making incorporates the electronic prescription mandate within the Board’s existing rules governing prescription requirements.

*Public Comment and Changes to Rule Making*

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on November 20, 2019, as **ARC 4768C**. A public hearing was held on December 10, 2019, at 7:30 a.m. in the Fifth Floor Conference Room 526, Lucas State Office Building, Des Moines, Iowa. No one attended the public hearing. No public comments were received. No changes from the Notice have been made.

*Adoption of Rule Making*

This rule making was adopted by the Board on January 22, 2020.

*Fiscal Impact*

This rule making has no fiscal impact to the State of Iowa.

*Jobs Impact*

After analysis and review of this rule making, no impact on jobs has been found.

*Waivers*

A waiver provision is not included in this rule making because all administrative rules of the professional licensure boards in the Professional Licensure Division are subject to the waiver provisions accorded under 645—Chapter 18.

*Review by Administrative Rules Review Committee*

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or

group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

*Effective Date*

This rule making will become effective on May 27, 2020.

The following rule-making action is adopted:

Adopt the following **new** subrule 327.6(4):

**327.6(4)** Beginning January 1, 2020, every prescription issued for a prescription drug shall be transmitted electronically unless exempted pursuant to Iowa Code section 124.308 or 155A.27. Beginning January 1, 2020, a licensee who fails to comply with the electronic prescription mandate may be subject to a nondisciplinary administrative penalty of \$250 per violation, up to a maximum of \$5,000 per calendar year.

[Filed 1/28/20, effective 5/27/20]

[Published 2/26/20]

EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 2/26/20.